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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/658,434	09/08/2000	Eric Schneider		2924

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ERIC SCHNEIDER
13944 CEDAR ROAD
#258
UNIVERSITY HEIGHTS, OH 44118

EXAMINER

DENNISON, JERRY B

ART UNIT PAPER NUMBER

2143

DATE MAILED: 04/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/658,434

Applicant(s)

SCHNEIDER ET AL.

Examiner

J. Bret Dennison

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 January 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 33-38, 40-46 and 48-55 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 33-38, 40-46 and 48-55 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This Action is in response to Amendment for Application Number 09/658,434 received on 26 January 2005.
2. Claims 33-38, 40-46, and 48-55 are presented for examination.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 33-38, 40-46, and 48-50 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
4. Claims 33, 40, 41, 42, 48, and 49 recite the limitation "enhanced spell check". It is vague and unclear to Examiner what is meant by "enhanced". The term does not in any way modify the functionality of a spell check program. Appropriate correction is required.
5. Claim 40 recites the limitation "choosing from at least one of a hyperlink reference method operation, and hyperlink label method". It is unclear to Examiner what these methods are. Applicant should be more specific as to what the functions of these methods are. Appropriate correction is required.

6. Claims 51 and 52 recite the limitation "hyperlink method". It is unclear to Examiner what these methods are. Applicant should be more specific as to what the functions of these methods are. Appropriate correction is required.

7. Claims 52 and 53 recite the limitation "one of a FDN and MDN resolution method". It is unclear to Examiner what these methods are. Applicant should be more specific as to what the functions of these methods are. Appropriate correction is required.

8. Claim 54 recites the limitation "wherein said hyperlink reference includes a resolvable domain name and at least a portion of said one of a FDN and MDN". It is unclear to Examiner what is meant by "at least a portion of a FDN and MDN".

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting

directly or indirectly from an international application filed before November 29, 2000.

Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

9. Claims 33-38, 40-46, and 48-55 are rejected under 35 U.S.C. 102(e) as being anticipated by Pasqua (WO 00/07133).

10. Regarding claim 33, Pasqua disclosed a word processing method for processing text including one or more words comprising:

starting a spell check type program for evaluating said one or more words
(Pasqua, page 13, lines 30-31);

determining that a word of said one or more words includes an error, said word including at least one of a spelling error, grammatical error, and punctuation error
(Pasqua, page 13, lines 30-35, Pasqua taught that a word is checked against a table);

determining whether said word including said error is one of a uniform resource locator (URL) and fully qualified domain name (FQDN) (Pasqua, page 13, lines 33-35, Pasqua taught that the word is checked against a table that includes global links, therefore including URL's); and,

said spell check type program automatically displaying an enhanced spell check type user interface, said user interface providing a user an ability to correct said word including said at least one of a spelling error, grammatical error, and punctuation error and said user interface further providing said user an ability to construct a hyperlink

including said error in response to said determining that said word including said error is neither said URL nor said FQDN wherein said hyperlink includes a label and a hyperlink reference, said label including said error and said hyperlink reference capable of accessing a network resource corresponding to at least one of a word and error (Pasqua, page 13, Pasqua taught a system that operates in a fashion similar to an automatic spell checker where the user is notified through a pop-up box and can then modify hyperlinks including the word entered in the document).

11. Regarding Claims 34-36, Pasqua taught the limitations, substantially as claimed, as described in claim 33. Pasqua also taught the system operates in a similar fashion to that of an automatic spell checker (Pasqua, page 13, lines 30-31). An automatic spell checker includes determining that a word starts and ends with a word delimiter, and the word delimiter being a spacebar symbol.

12. Regarding claim 37, Pasqua taught the limitations, substantially as claimed, as described in claim 33. Pasqua also taught the system checks the words against global links (Pasqua, page 13, lines 30-35). Global links include URL's, which include at least one punctuation symbol.

13. Regarding claim 38, Pasqua taught the limitations, substantially as claimed, as described in claim 37, including determining that said word including said at least one of a punctuation period symbol includes a fictitious domain name (FDN) including a top

level domain alias and said user interface further providing said user an ability to construct said label from said FDN and construct said hyperlink reference including a resolvable domain name corresponding to said network resource, said resolvable domain name including at least a portion of said FDN (Pasqua, page 13, lines 30-37, Pasqua teaches the ability to construct hyperlinks for local and global links).

14. Regarding claim 40, Pasqua taught the limitations, substantially as claimed, as described in claim 33, including wherein enhanced spell check type user interface includes at least one user interface element configured to allow said user to construct said hyperlink by choosing from at least one hyperlink reference method operation, and hyperlink label method operation (Pasqua, page 13, lines 30-37).

15. Regarding claim 41, Pasqua taught the limitations, substantially as claimed, as described in claim 33, including wherein enhanced spell check type user interface includes user modifiable configuration settings (Pasqua, page 13, lines 15-20).

16. Claims 42-46, 48, 49, and 51-55 include limitations that are substantially similar to claims 33-38, and 40-41 and therefore are rejected by the same art as being substantially similar.

Response to Amendment

17. Applicant's arguments and amendments filed on 26 January 2005 have been carefully considered but they are not deemed fully persuasive. Applicant's arguments

are deemed moot in view of the following new grounds of rejection as explained here below, necessitated by Applicant's substantial amendment (i.e., *by incorporating the new limitations into the independent claims which will require further search and consideration*) to the claims which significantly affected the scope thereof.

18. Applicant's arguments with respect to claims 33-38, 40-46, and 48-55 have been considered but are moot in view of the new ground(s) of rejection.

19. Applicant should submit an argument under the heading "Remarks" pointing out disagreements with the examiner's contentions. Applicant must also discuss the references applied against the claims, explaining how the claims avoid the references or distinguish from them.

20. It is the Examiner's position that Applicant has not yet submitted claims drawn to limitations, which define the operation and apparatus of Applicant's disclosed invention in manner, which distinguishes over the prior art.

21. Failure for Applicant to significantly narrow definition/scope of the claims and supply arguments commensurate in scope with the claims implies the Applicant intends broad interpretation be given to the claims. The Examiner has interpreted the claims with scope parallel to the Applicant in the response and reiterates the need for the Applicant to more clearly and distinctly define the claimed invention.

Conclusion

Examiner's Note: Examiner has cited particular columns and line numbers in the references applied to the claims above for the convenience of the applicant.

Although the specified citations are representative of the teachings of the art and are

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applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to J. Bret Dennison whose telephone number is (571)272-3910. The examiner can normally be reached on M-F 8:30am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A Wiley can be reached on (703)308-5221. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



J. B. D.
Patent Examiner
Art Unit 2143



DAVID WILEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100